

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. _____

UNITED STATES OF AMERICA,)	
)	
Petitioner,)	
)	
v.)	CERTIFICATION OF A
)	SEXUALLY DANGEROUS PERSON
CLYDE M. HALL,)	
Register Number 09667-052,)	
)	
Respondent.)	

The United States of America, by and through the United States Attorney for the Eastern District of North Carolina, hereby submits the attached Certification of a Sexually Dangerous Person pursuant to Title 18 U.S.C. § 4248(a).

Respectfully submitted, this 19th day of June, 2009.

George E. B. Holding
United States Attorney

BY: /s/ Michael Bredenberg
Michael Bredenberg
Special Assistant U.S. Attorney
Attorney for Petitioner
U.S. Attorney's Office Civil Division
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N.C. Bar # 26068

CERTIFICATE OF SERVICE

This is to certify that I have this 19th day of June, 2009, served a copy of the foregoing upon the Respondent in this action by placing the documents in an envelope marked as stated below, and providing it to FCC Butner staff to deliver the envelope in hand to:

Clyde Hall
Reg. No. 09667-052
FCI Butner

and on the same day served a copy of the foregoing by placing a copy in the U.S. Mail, addressed as follows:

Office of the Federal Public Defender
150 Fayetteville Street Mall
Suite 450
Raleigh, North Carolina 27601

/s/ Michael Bredenberg
Michael Bredenberg
Special Assistant U.S. Attorney
Attorney for Petitioner
U.S. Attorney's Office Civil Division
310 New Bern Avenue
Suite 800, Federal Building
Raleigh, NC 27601-1461
Telephone: (919) 575-3900 x 6078
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CERTIFICATION OF A SEXUALLY DANGEROUS PERSON

(1) I, Anthony A. Jimenez, am Chairperson of the Federal Bureau of Prisons (Bureau) Certification Review Panel, Washington, D.C. Pursuant to 28 C.F.R. § 0.97, the Director of the Bureau has delegated to me the authority to certify persons in Bureau custody as sexually dangerous, as authorized by 18 U.S.C. § 4248(a).

(2) Bureau records reflect the following: Inmate Clyde M. Hall, Jr., Register Number 09667-052, is in Bureau custody at the Federal Correctional Institution, Butner, North Carolina, in service of a 25-month term of imprisonment and a 25-year term of supervised release, following his conviction for Failure to Register as a Sex Offender, in violation of 18 U.S.C. § 2250(a)(1) (N.D.N.Y.) (Case No. DNYN107CR000157-001). He is also serving a consecutive seven-month term of imprisonment, following the revocation of his supervised release. His original sentence was a 63-month term of imprisonment and a three-year term of supervised release, following his conviction for Possession of Child Pornography, in violation of 18 U.S.C. § 2252A(a)(5)(B) (N.D.N.Y.) (Case No. DNYN199CR00491-001). His projected release date is June 24, 2009.

(3) Based on a review of his Bureau records, I certify he is a sexually dangerous person as defined by 18 U.S.C. § 4247(a)(5), and sexually dangerous to others as defined by 18 U.S.C. § 4247(a)(6). My certification is based on information found in Bureau records which includes, but is not limited to, the following:

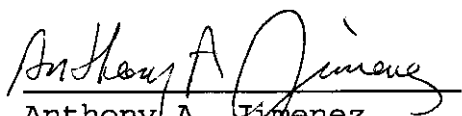
(a) He previously engaged or attempted to engage in sexually violent conduct or child molestation as evidenced by his prior conviction for Act in Manner Injurious to a Child, in the Lewis Town Court, Essex County, New York (Case No. 99-004-005CD), for showing his drawings of unclothed girls to his girlfriend's ten-year-old daughter and the daughter's friend and labeling the drawings with the girls' names. Additionally, there is evidence that he performed oral sex on his girlfriend's ten-year-old daughter, digitally penetrated her, and forced her to perform oral sex. Inmate Hall was also previously convicted of Unlawful Sexual Contact and Gross Sexual Misconduct, in the Superior Court, Androscoggin County, Maine (Case No. CR-87-449), for exposing himself to a ten-year-old girl and having her "help" him while he masturbated. On another occasion, he touched the same victim's vagina with his hands

and mouth, and had her touch his penis with her hands and mouth;

(b) A psychological review and assessment indicated the following: Axis I diagnoses of Pedophilia, Sexually Attracted to Females, Nonexclusive Type; Alcohol Dependence, in a Controlled Environment; Cannabis Dependence, in a Controlled Environment; and Cocaine Abuse; Axis II diagnosis of Antisocial Personality Disorder;

(c) An assessment of him using two actuarial risk assessment instruments (Static-99 and Rapid Risk Assessment for Sexual Offense Recidivism (RRASOR)) was conducted. These results, in addition to his prior offense conduct, a history of revocation or failure to meet the stipulations of conditional release, poor response to sex offender treatment, evidence of psychopathy, and ongoing or high potential for relapse of drug/alcohol use, indicate he will have serious difficulty refraining from sexually violent conduct or child molestation if released.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.



Anthony A. Jimenez

Chairperson

Certification Review Panel

Federal Bureau of Prisons

6/16/2009

Date

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. _____

UNITED STATES OF AMERICA,)	
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Petitioner,)	
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v.)	ORDER
)	
CLYDE M. HALL,)	
Register Number 09667-052,)	
)	
Respondent.)	

At the request of the Director of the Bureau of Prisons, the government has filed a Certification of a Sexually Dangerous Person pursuant to 18 U.S.C. § 4248, in order for this court to hold a hearing to determine whether the Respondent is a sexually dangerous person as defined by 18 U.S.C. § 4247(a)(5).

Respondent, having demonstrated eligibility for appointment of counsel at government expense, the Federal Public Defender IS DIRECTED to provide representation in this action.

The Court further determines that the Respondent is unable to pay the fees of any witness, and pursuant to Federal Rule of Criminal Procedure 17(b) the Clerk shall issue a subpoena for any witness necessary to present an adequate defense to the pending charge or charges.

The Court further ORDERS that the United States Marshal shall serve any subpoenas presented to him in this case by the office of the Federal Public Defender, and shall pay the appropriate fees and expenses to witnesses so subpoenaed.

Pursuant to 18 U.S.C. section 4247(b), the Court ORDERS the government to conduct a psychiatric or psychological examination of Respondent. Pursuant to this section, if the Respondent wishes to request an additional examiner, he shall request such by separate motion to this court.

The Court hereby notifies the parties that this case has been set for Hearing by videoconference at _____ AM/PM on _____. The hearing shall be held in Courtroom #2, Seventh Floor, of the Terry Sanford Federal Building, 310 New Bern Avenue, Raleigh, North Carolina.

This ____ day of _____, 2009.

W. EARL BRITT
Senior U.S. District Judge